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**DORSEY ENDS SPEECH AGAINST NEW  
FRANK TRIAL**

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**FELDER  
TO**

# **TALK FOR STATE NEXT**

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**Justices Likely Will Try  
to Reach**

# **Decision on Appeal by the End of January.**

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Repeating his vehement assertions that Leo M. Frank is without a vestige of legal or moral right, to any sort of respite from the hangman's noose, Solicitor Dorsey concluded his address before the Supreme Court of Georgia Tuesday in opposition to a new trial for the factory superintendent.

The Solicitor maintained that Frank had obtained a fair and impartial trial, despite the assertion to the contrary of counsel for the defense. He said that nothing essentially prejudicing Frank's case had entered into the trial at any time. No man could have been convicted on clearer or more unmistakable evidence, he argued.

If there had been any error—and he was inclined to doubt it—the error had been of the most harmless and technical and inconsequential kind, an error of the sort that gives the prisoner's attorneys a frail weapon to grasp in their desperate battle to save him from the fate that the State claims he deserves.

## **Upholds Admission of Conley Evidence.**

Dorsey resisted strenuously the claim of the defense that Conley's evidence on Frank's alleged immorality and perversion was inadmissible. The Solicitor argued that all modern courts were coming to recognize the necessity of admitting evidence of acts and crimes other than the crime for which the defendant was on trial in cases where the truth could be reached only through the introduction of such evidence. This was the situation, he said, in the trial of Frank. It was necessary to have a knowledge of these extraneous acts of Frank's in order to arrive at the motive

which was at the bottom of the murder of Mary Phagan. With this knowledge a flood of light was let in upon the minds of the jury and they were able to see the underlying causes of the tragedy, he argued.

Dorsey scouted the contention of the defense that the trial had been by the mob rather than by a judge and jury. Trivial incidents, he told the court, had been magnified into mountains of importance. When one of the defense's own witnesses purposely had made a facetious remark, the defense had presumed to interpret the ripple of laughter as a storm of jeering and ridicule directed at Frank's lawyers. It was nothing of the kind, Dorsey asserted. It was only a natural outburst, quickly curbed, which always follows a witty remark in a courtroom.

In this manner the Solicitor said the defense grasped at trivialities and technicalities all the way through when, as a matter of fact, there was nothing substantial in the whole trial that might be used as the groundwork on which to erect a plea for a new trial.

### **Attorney General to Speak.**

Dorsey, who had entered upon his address Monday, in a quieter and less controversial manner than was his wont during the trial of Frank, warmed to his argument Tuesday morning and concluded in his characteristically vehement style.

Attorney General Thomas S. Felder and Luther Z. Rosser remained to be heard after the Solicitor had finished. The Attorney General was not expected to speak at length. Rosser had only one hour and twenty minutes rightfully belonging to him, as two hours and 40 minutes of the defense's four hours had been consumed by Reuben Arnold on Monday.